

# *The Public Employers' COVID-19 Emergency Regulations*

*being*

Chapter S-15.1 Reg 12 (effective October 1, 2021) as amended  
by Saskatchewan Regulations [105/2021](#).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## **CHAPTER S-15.1 REG 12**

### *The Saskatchewan Employment Act*

#### **Title**

**1** These regulations may be cited as *The Public Employers' COVID-19 Emergency Regulations*.

#### **Definitions and interpretation**

**2(1)** In these regulations:

**“Act”** means *The Saskatchewan Employment Act*;

**“COVID-19 test”** means any of the following tests administered at a testing site approved by the Minister of Health:

- (a) a polymerase chain reaction (PCR) test for SARS-CoV-2;
- (b) a point-of-care antigen test for SARS-CoV-2;
- (c) any other test for SARS-CoV-2 approved by the Minister of Health;

**“fully-vaccinated”**, with respect to a worker, means that:

- (a) the worker has received the recommended number of doses of a COVID-19 vaccine, or combination of COVID-19 vaccines, approved by Health Canada; and
- (b) 14 or more days have passed since the worker received the last of the recommended number of doses;

**“public employer”** means, subject to subsection (2), any of the following:

- (a) the Government of Saskatchewan;
- (b) a Crown corporation within the meaning of *The Crown Corporations Act, 1993*;
- (c) any agency, board or commission of the Government of Saskatchewan;
- (d) the Provincial Auditor of Saskatchewan;
- (e) an Officer of the Legislative Assembly as defined in subsection 68(7) of *The Legislative Assembly Act, 2007*;
- (f) a constituency office of a member of the Legislative Assembly;

**“SARS-CoV-2”** means severe acute respiratory syndrome coronavirus 2, the virus that causes COVID-19.

**(2)** For the purposes of the definition of “public employer” in subsection (1), public employer does not include the following:

- (a) the provincial health authority, an affiliate, a health care organization or the cancer agency as those terms are defined in *The Provincial Health Authority Act*, except eHealth Saskatchewan;

- (b) a board of education or the conseil scolaire as those terms are defined in *The Education Act, 1995*;
- (c) a regional college as defined in *The Regional Colleges Act*;
- (d) the Saskatchewan Polytechnic.

1 Oct 2021 cS-15.1 Reg 12 s2; 1 Oct 2021 SR  
105/2021 s3.

#### **Application re workers**

**3** These regulations apply to workers of a public employer, including individuals who are members or directors of a board, commission, council, office, corporation or any other body of an employer mentioned in clause (b) or (c) of the definition of “public employer” in subsection 2(1).

1 Oct 2021 cS-15.1 Reg 12 s3.

#### **Public employers’ duties re clause 3-8(a) of the Act**

**4(1)** On and after October 1, 2021, every public employer shall, for the purposes of clause 3-8(a) of the Act, require each of its workers to comply with one of the following:

- (a) to:
  - (i) be fully-vaccinated; and
  - (ii) if requested by the public employer, provide satisfactory evidence to the public employer in relation to the worker’s vaccinations;
- (b) to provide a valid negative COVID-19 test result to the public employer at least every 7 days.

(1.1) The public employer shall give a worker the option to comply with either clause (1)(a) or (b), but the worker must be in compliance with at least one of those requirements before commencing a shift on and after October 1, 2021.

(2) For the purposes of clause (1)(b), a negative COVID-19 test result is valid for 7 days from the date of testing.

(3) A worker is not required to provide a negative COVID-19 test result to the public employer if the worker is on vacation, an employment leave or a leave granted by the public employer.

(4) The public employer shall:

- (a) establish a verification process for collecting and reviewing the evidence provided by the worker in relation to the worker’s vaccinations or negative COVID-19 test results;
- (b) review the evidence provided by a worker in relation to the worker’s vaccinations or negative COVID-19 test results in accordance with the verification process established pursuant to clause (a) to verify that the worker can be at the workplace; and
- (c) keep confidential the evidence provided by a worker pursuant to this section.

1 Oct 2021 cS-15.1 Reg 12 s4; 1 Oct 2021 SR  
105/2021 s4.

**Workers duties re clause 3-10(a) of the Act**

**5** For the purposes of clause 3-10(a) of the Act and unless otherwise agreed to by the public employer:

- (a) any worker required to provide a negative COVID-19 test result pursuant to clause 4(1)(b) is responsible for taking the COVID-19 test during non-work hours; and
- (b) any costs associated with taking a COVID-19 test are to be paid by the worker.

1 Oct 2021 cS-15.1 Reg 12 s5.

**Coming into force**

**6(1)** Subject to subsection (2), these regulations come into force on October 1, 2021.

(2) If these regulations are filed with the Registrar of Regulations after October 1, 2021, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

1 Oct 2021 cS-15.1 Reg 12 s6.

